

(24)  
2/20/01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WALTER PENN,

Plaintiff

v.

BEN E. VARNER, et al.,

Defendants

: CIVIL ACTION NO. 1:CV-00-0771

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: (Judge Rambo)

FILED  
HARRISBURG, PA

FEB 20 2001

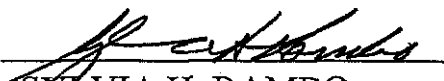
MARY E. D'AMOREA, CLERK  
Per MA  
Deputy Clerk

ORDER

In accordance with the accompanying memorandum, **IT IS HEREBY**

**ORDERED THAT:**

1. Defendants' motion to dismiss is **GRANTED**.
2. Plaintiff's complaint is dismissed without prejudice pursuant to 42 U.S.C. § 1997e(a).
3. The Clerk of Court shall close the file.

  
SYLVIA H. RAMBO  
United States District Judge

Dated: February 20, 2001.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

February 20, 2001

Re: 1:00-cv-00771 Penn v. Varner

True and correct copies of the attached were mailed by the clerk  
to the following:

Walter Penn  
SCI-D  
SCI at Dallas  
AP-9156  
Drawer K - Follies Rd.  
Dallas, PA 18612-0286

Maryanne M. Lewis, Esq.  
Office of the Attorney General  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

cc:

Judge	(X )	(X ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	(X )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE: February 20th, 2001

BY:

  
Deputy Clerk